

Valdez, Heather

From: Sally McLeod <Sally.Mcleod@smmpogo.com>
Sent: Monday, July 29, 2013 7:24 PM
To: Valdez, Heather
Cc: Michael Short; Hunter, Jeffrey (Perkins Coie); Venus, Shirin
Subject: Follow up to Pogo's July 25, 2013 call

Categories: Pogo FOIA

Hi Heather:

I am writing to follow-up our July 25th call and to confirm Pogo's understanding of the next steps. Pogo greatly appreciates your time in discussing the CISWI Rule and application of the rule to Pogo. It is Pogo's goal to operate in compliance with all applicable laws.

Pogo anticipates receiving the stack testing results in the next week or two. Pogo is working on a revised Petition under 40 CFR § 60.2115 to address EPA's initial comments to the May 14, 2013 Petition. If the stack testing results show compliance with the Table 8 emission limits under the CISWI rule, Pogo would submit the revised Petition to EPA. If Pogo receives the testing results by August 7, Pogo anticipates submitting a revised Petition by August 16 at the latest.

As discussed, any follow-up stack testing at the mine needs to be completed by the first or second week in October at the latest. After that, the weather conditions would likely prevent reliable and safe testing. If EPA determines that additional time is necessary to review the revised Petition and the stack testing cannot be completed by the second week in October, Pogo would request an extension of time to complete the initial compliance testing. Pogo believes that EPA has the discretion under 40 CFR § 60.8(a) and (b) to grant an extension of the testing deadlines.

If the stack testing results do not demonstrate compliance with the Table 8 emission limits under the CISWI rule, Pogo would like to schedule a meeting with EPA in Seattle to prepare a compliance schedule for installing pollution control equipment. We should know in the next week or two whether the unit meets the Table 8 emission limits. We are available to meet with you at your earliest convenience.

Again, thank you for all of your assistance. We look forward to working with you on these issues.

Sally S. McLeod, CEM, REM
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